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09/781,966	02/14/2001	Akinobu Fujino	1114-156	9757

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EXAMINER
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KE, PENG

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 10/07/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/781,966

Applicant(s)

FUJINO, AKINOBU

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 3.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 5-8, 13, 15, 17, and 19 rejected under 35 U.S.C. 102(e) as being anticipated by Niblack (US 6,181,342).

As per claim 1, Niblack teaches a file processing apparatus comprising:

file display means for displaying a predetermined file in a predetermined file display region as an icon (fig 5, items 64a-64h);

selected file storage means, in response to a selection request with regard to a predetermined file displayed in the file display region, for storing a selected file (col. 3, lines 21-36; Examiner infers directory to be a selected file storage means);

selected file display means for displaying the selected file in a predetermined selected display region as an icon (col. 4, lines 23-35; It is inherent that in order to select a file to be executed, the user must select display region of the icon); and

process execution means, in response to a predetermined process request, for subjecting a file stored by the selected file storage means to a predetermined process (col. 4, lines 1-35).

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As per claim 2, Niblack teaches the file processing apparatus of claim 1, wherein the file display means displays the files in the file display regions as thumbnails (fig 5, items 64a-64h).

As per claim 5, which dependent on claim 1, it is of the same scope as claim 2.  
(see rejection above)

As per claim 6, which dependent on claim 1, it is of the same scope as claim 2.  
(see rejection above)

As per claim 7, Niblack teaches the file processing apparatus of claim 1, wherein the selected file storage means stores files selected from among a plurality of folders, and that the selected file display means displays these files in one selected file display region (col. 8, lines 9-24; Examiner infers directories to be folders).

As per claim 8, Niblack teaches the file processing apparatus of claim 6, wherein the selected file storage means stores files selected from among a plurality of folders and that the selected file display means displays these files in one selected file display region (col. 8, lines 9-24; Examiner infers directories to be folders).

As per claim 13, Niblack teaches the file processing apparatus of claim 1, further comprising:

process storage means for storing a plurality of process requests (col. 6, lines 46-56),

wherein the process execution means subjects the files stored by the selected file storage means to a plurality of processes, in response to the plurality of process requests stored in the process storage means (col. 6, lines 56-68, col. 7, lines 1-10; Examiner infers monitoring and updating new documents to be a plurality of process).

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As per claim 15, Niblack teaches the file processing apparatus of claim 1, further comprising:

file selection means for selecting, from among an arbitrary plurality of files, those files that match a predetermined condition (col. 9, lines 45-54).

As per claim 17, Niblack teaches The file processing apparatus of claim 15, wherein the file selection means selects files from within an arbitrarily defined range (col. 9, lines 53-58; Examiner infers to limiting the size to be defining a range).

As per claim 19, Niblack teaches a computer readable storage medium on which a program is stored that allows a computer to operate as the file processing apparatus of claim 1 (col. 9, lines 20-32).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, 11, 12, 14, 16, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblack (US, 6,181,342) in view of Oesterer et al. (US 6,415,298).

As per claim 3, Niblack teaches the file processing apparatus of claim 1.

However he fails to further teach the apparatus comprising:

selected file cancellation means, in response to a predetermined selection cancel request, for canceling the selection of a portion or all of the files stored by the selected file storage means.

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Oesterer et al. teaches an apparatus comprising:

selected file cancellation means, in response to a predetermined selection cancel request, for canceling the selection of a portion or all of the files stored by the selected file storage means (Fig. 1, item 44, col. 6, lines 50-61, col. 7, lines 1-17; It is inherent that once the user deactivate the account the data and files regarding the actual transaction of the account will be deleted).

It would have been obvious to an artisan at the time of the invention to include Oesterer et al. teaching with Niblack's apparatus in order to allow the user to organize complex information in a visually descriptive and flexible manner that is similar to the way, which files are organized.

As per claim 4, which is dependent on claim 2, it is of the same scope as claim 1. (see rejection above)

As per claim 11, Niblack teaches the file processing apparatus of claim 1. However, he fails to teach the apparatus wherein the selected file storage means keeps storing the selected files, even after a process has been executed by the process execution means, until a predetermined selection cancel request.

Oesterer et al. teaches an apparatus wherein the selected file storage means keeps storing the selected files, even after a process has been executed by the process execution means, until a predetermined selection cancel request (Fig. 1, item 44, col. 6, lines 50-61, col. 7, lines 1-17).

It would have been obvious to an artisan at the time of the invention to include Oesterer et al. teaching with Niblack's apparatus in order to allow the user to organize

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complex information in a visually descriptive and flexible manner that is similar to the way, which files are organized.

As per claim 12, which is dependent on claim 8, it is of the same scope as claim 11. (see rejection above)

As per claim 14, Niblack and Oesterer et al. teach the file processing apparatus of claim 12. Niblack further teaches the apparatus comprising:

process storage means for storing a plurality of process requests (col. 6, lines 46-56),

wherein the process execution means subjects the files stored by the selected file storage means to a plurality of processes, in response to the plurality of process requests stored in the process storage means (col. 6, lines 56-68, col. 7, lines 1-10; Examiner infers to monitoring and updating new documents to be a plurality of process requests).

As per claim 16, Niblack and Oesterer et al. teaches the file processing apparatus of claim 14. Niblack further teaches the apparatus comprising:

file selection means for selecting, from among an arbitrary plurality of files, those files that match a predetermined condition (col. 9, lines 45-54).

As per claim 18, Niblack and Oesterer et al. teaches the file processing apparatus of claim 16. Niblack further teaches wherein the file selection means selects files from within an arbitrarily defined range (col. 9, lines 53-58; Examiner infers to limiting the size to be defining a range).

As per claim 20, Niblack and Oesterer et al. teaches the file processing apparatus of claim 18. Niblack further teaches a computer readable storage medium on which a

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program is stored that allows a computer to operate as the processing apparatus (col. 5, lines 1-24)

Claims 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblack (US 6,181,342) in view of Guzak et al. (US 5,838,319).

As per claim 9, Niblack teaches the file processing apparatus of claim 7. However he fails to teach further comprising: folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located. Guzak et al. teaches an apparatus comprising: folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located (Fig 9, item 90; col. 7, lines 9-26). It would have been obvious to an artisan at the time of the invention to include Guzak et al. teaching with Niblack's apparatus in order to provide a visual cue that identifies the path of the selected files.

As per claim 10, Niblack teaches the file processing apparatus of claim 8, further comprising:

folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located.

Guzak et al. teaches a file processing apparatus comprising:

folder display means for displaying the folders in which files displayed by the selected file display means in the selected file display region are actually located (Fig 9, item 90; col. 7, lines 9-26). It would have been obvious to an artisan at the time of the invention to include Guzak et al. teaching with Niblack's apparatus in order to provide a visual cue that identifies the path of the selected files.



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***Conclusion***

The following patents are cited to further show the state of the art with respect to a file storage program:

Healy et al. (US 5,644,736): discloses a system and method for selecting components of a hierarchical file structure

Pajak et al. (US 5,065,347) : discloses a hierarchical folder display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615.

The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peng Ke

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